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THE ANDHRA PRADESH GAZETTE

PART-V EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 25] **HYDERABAD, TUESDAY, APRIL 26, 2011.**

STATUTORY NOTIFICATIONS OF THE ELECTION COMMISSION OF INDIA AND OTHER ELECTION NOTIFICATIONS

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NOTIFICATIONS BY GOVERNMENT

GENERAL ADMINISTRATION (ELECTIONS - F) DEPARTMENT

ELECTION COMMISSION OF INDIA ORDER REGARDING PRODUCTION OF ELECTORAL PHOTO IDENTITY CARDS OR OTHER ALTERNATIVE DOCUMENTS FOR IDENTIFICATION OF ELECTORS IN BYE-ELECTIONS TO THE HOUSE OF THE PEOPLE AND A.P. LEGISLATIVE ASSEMBLY FROM 38-KADAPA PARLIAMENTARY CONSTITUENCY AND 248-PULIVENDLA ASSEMBLY CONSTITUENCY.

[Memo. No. 1725/Elecs.F/2011-52, General Administration (Elections. F) Department, Dated. 26-04-2011.]

The following Order of the Election Commission of India, New Delhi, No. 3/4/ID/2011/SDR/(AP), dated 21st April, 2011 is published:-

ORDER

No. 3/4/ID/2011/SDR/(AP):– Whereas, Section 61 of the Representation of the Peploe Act, 1951 provides that with a view to preventing impersonation of electors, so as to make the right of genuine electors to vote under section 62 of that Act more effective, provisions may be made by rules under that Act for use of Electoral Photo Identity Cards for electors as the means of establishing their identity at the time of polling; and

2. Whereas, Rule 28 of the Registration of Electors Rules, 1960, empowers the Election Commission to direct, with a view to preventing impersonation of electors and facilitating their identification at the time of poll, the issue of Electoral Photo Identity Cards to electors bearing their photographs at State cost; and

3. Whereas, Rules 49H (3) and 49K (2) (b) of the Conduct of Elections Rules, 1961, stipulate that where the electors of a constituency have been supplied with Electoral Photo Identity Cards under the said provisions of Rule

28 of the Registration of Electors Rules, 1960, the electors shall produce their Electoral Photo Identity Cards at the polling station and failure or refusal on their part to produce those Electoral Photo Identity Cards may result in the denial of permission to vote; and

4. Whereas, a combined and harmonious reading of the aforesaid provisions of the said Act and the Rules, makes it clear that although the right to vote arises by the existence of the name in the electoral roll, it is also dependent upon the use of the Electoral Photo Identity Card, where provided by the Election Commission at State cost, and that both are to be used together; and

5. Whereas, the Election Commission made an Order on the 28th August, 1993, directing the issue of Electoral Photo Identity Cards (EPICs) to all electors, according to time bound programme; and

6. Whereas, the Commission has taken note of the fact that over the last few years since the implementation of the programme of issue of EPICs was taken up, the election machinery of Andhra Pradesh have issued these cards to a substantially high number of electors and made all possible efforts, by way of repeated rounds of the constituencies and areas, with a view to issuing cards to the left-out electors; and

7. Whereas, electoral rolls containing photographs of the electors have been prepared and published in Andhra Pradesh; and

8. Whereas, at the general election to the Legislative Assembly of Haryana held in January - March, 2000, and at all general and bye-elections held since then, the Commission had directed that all electors who were issued with EPICs should produce those cards to exercise their franchise at the said elections, and that it would permit those electors who have not obtained their EPICs to vote at the said elections, provided their identity is otherwise established by production of one of the alternative documents prescribed by the Commission; and

9. Now, therefore, after taking into account all relevant factors and the legal and factual position, the Election Commission hereby directs that all electors in 38-Kadapa, Parliamentary Constituency and 248-Pulivendla Assembly Constituency in Andhra Pradesh, for the bye-elections notified on 11th April, 2011, shall produce their EPICs for establishing their identity before casting their votes. If any elector fails to produce his/her EPIC, such elector shall have to produce any of the following alternative photo documents for establishing his/her identity:-

(i) Passport;

(ii) Driving License;

(iii) Income Tax Identity (PAN) Card,

(iv) Service Identity Cards with photograph issued to its employees by State/Central Government, Public Sector Undertakings, Local Bodies or Public Limited Companies,

(v) Passbooks with Photograph issued by Public Sector Banks/Post Office and Kisan Passbooks (Accounts opened on or before 31-03-2011),

(vi) SC/ST/OBC Certificates with photograph issued by competent authority on or before 31-3-2011.

(vii) Pension Documents such as ex-servicemen's Pension Book/Pension Payment Order, ex-servicemen's Widow/Dependent Certificates, Old Age Pension Order, Widow Pension Order with photograph issued on or before 31-3-2011,

(viii) Freedom Fighter Identity Cards with photograph,

(ix) Arms Licenses having photograph issued on or before 31-3-2011,

(x) Certificate of Physical Handicap having photograph issued by the Competent Authority on or before 31-3-2011,

(xi) Health Insurance Scheme Smart Cards with photograph (Ministry of Labour's Scheme), issued up to 31-3-2011.

(xii) Property Documents such as Pattas Registered Deeds etc. with photograph.

(xiii) Job Cards issued under NREGA scheme with photograph issued up to 31-3-2011,

(xiv) Ration Cards with photographs issued on or before 31-3-2011,

(xv) ATM Cards with photographs issued by Banks on or before 31-3-2011,

(xvi) Pattadar Pass Books containing photograph issued on or before 31-3-2011.

10. Any of the above mentioned documents that is available only to member of family may be used for identifying the other members of the family provided all members come together and are identified by such member.

11. Notwithstanding anything in Para 9 above, Overseas electors who are registered in the electoral rolls under Section 20 A of the Representation of the People Act, 1950 based on the particulars in their passport, shall be identified on the basis of their original passport only (no other identity document) in the polling station.

By Order,

BERNARD JOHN,
Secretary,
Election Commission of India.

BHANWAR LAL,
Chief Electoral Officer & E.O.,
Principal Secretary to Government.

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